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*Attorneys for Plaintiff*  
**TIM TOTH**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

TIM TOTH,

Plaintiff,

v.

STEPHENS AND MICHAELS  
ASSOCIATES, INC.,

Defendant.

Case No. : 2:13-cv-00372-GMN-VCF

**STIPULATION AND ORDER TO  
EXTEND TIME TO FILE  
PLAINTIFF'S REPLY TO  
DEFENDANT SMA'S  
OPPOSITION TO  
PLAINTIFF'S MOTION FOR  
SUMMARY  
JUDGMENT ON PLAINTIFF  
FIRST  
AMENDED COMPLAINT FOR  
VIOLATIONS OF THE FDCPA;  
AND  
SMA'S COUNTERMOTION FOR  
SUMMARY JUDGMENT**

**(First Request)**

Plaintiff TIM TOTH ("Plaintiff") and Defendant STEPHENS AND MICHAELS ASSOCIATES, INC. ("Defendant") hereby stipulate and agree as follows:

1. On November 20, 2014, Plaintiff filed a Motion for Summary Judgment in this matter (the "Motion").

2. Defendant timely filed its Response and Countermotion for Summary Judgment on December 12, 2014.

3. Plaintiff's Reply is currently due by December 29, 2014.

4. The parties are currently engaged in settlement discussions to resolve the pending matter and accordingly request that Plaintiff's response be continued to January 28, 2015.

5. In the event the parties resolve this matter prior to January 28, 2015, the parties will file a Notice of Settlement with this Court.

IT IS SO STIPULATED.

Dated December 23, 2014.

Dated December 23, 2014.

/s/ David H. Krieger, Esq.  
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*Attorneys for Plaintiff*

/s/ Peter Dubowsky, Esq.  
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*Attorneys for Defendant*

**ORDER**

IT IS SO ORDERED.

U.S. DISTRICT COURT JUDGE

DATED: \_\_\_\_\_